REMARKS

Applicant respectfully requests re-consideration of the application in view of the arguments presented below.

Summary of Office Action

Claims 1-20 are pending.

Claims 1-20 were rejected as being anticipated by U.S. Patent Application Publication No. 2003/0002479 of Vortman ("Vortman").

Claim Amendments

Claims 6 and 15 were amended for clarification and to correct antecedent basis. Applicant submits that the amendments to claims 6 and 15 are supported by the application as originally filed and that the amendments do not add new matter.

Response to 35 U.S.C. § 102 Rejections

Claims 1-20 were rejected as being anticipated by Vortman. Applicant submits claims 1-20 are not anticipated by Vortman.

With respect to claims 1 and 15, the Examiner has stated:

> Vortman discloses ... establishing a first path between a remote originating node ... and a gateway ... using a first channel of a circuit-switched network ..., wherein the gateway is communicatively coupled to the circuit-switched network and the packet-switched network...; and establishing a second path between an answering node ... and the gateway using a second channel of the circuit-switched network if the answering node is remote relative to the gateway, wherein the first and second paths collectively form a bi-directional communication path (see paragraph [0048]; pg. 4, paragraph [0051]; and pg. 4, paragraph [0054]).

(05/15/2008 Office Action, p. 3)

Applicant traverses the Examiner's characterization of Vortman, at least in part.

In one operating mode, Vortman discloses establishing a first path between a remote originating node and a gateway using a first channel of a circuit-switched network, wherein the gateway is communicatively coupled to the circuit-switched network and a packet switched network. However, in

this first mode there is no "answering node" per se. The gateway collects the data from the call and instructs the caller to hang-up and await a callback. The gateway forwards the call data to an agent using the packet switched network. Clearly there is no establishment of a second path between an "answering node" and the gateway using a second channel of the circuit-switched network. Moreover, there is no bi-directional communication path between the customer node and agent node. The agent utilizes the call data to initiate a call to the customer via the PSTN. The agent thus becomes the originating node and the customer becomes the answering node. The gateway plays no role between the agent's originating node and the customer's answering node for the callback irrespective of the remote/local nature of the answering node. (Vortman, pars [0048] – [0052]). Certainly *there is no second path between the answering node and the gateway utilizing a second channel of the circuit-switched network - irrespective of the location of the answering node relative to the gateway.*

In another operating mode, the customer places a call directly to the agent. Obviously, the gateway is not involved in utilizing any channels of a circuit-switched network for communicating with either the remote originating node or the answering node in such an operating mode (Vortman, par [0053]). *Thus there is no second path between the answering node and the gateway utilizing a second channel of the circuit-switched network - irrespective of the location of the answering node relative to the gateway.*

In yet another operating mode, a first path is established between a remote originating node and a gateway using a circuit-switched network (i.e., POTS). The gateway is communicatively coupled to the circuit-switched network. However, the path between the gateway and the answering node utilizes a packet-switched network (i.e., VOIP link). (Vortman, par [0054]). *Thus there is no second path between the answering node and the gateway utilizing a second channel of the circuit-switched network - irrespective of the location of the answering node relative to the gateway.*

In yet another mode, Vortman discloses packetized communications between the gateway (i.e., call center) and originating node (i.e., customer PC) and packetized communications between the gateway and the answering

node (i.e., agent equipment). The entire link between originating and answering nodes is packetized. *Thus there is neither a first path or second path between the gateway and either the answering or originating nodes utilizing channels of a circuit switched network.* (Vortman, par [0056])

Thus *Vortman does not teach or disclose a) establishing a first path between a remote originating node and a gateway using a first channel of a circuit-switched network, and b) establishing a second path between an answering node and the gateway using a second channel of the circuit-switched network if the answering node is remote relative to the gateway, wherein the first and second paths collectively form a bi-directional communication path.*

In contrast, claim 1 includes the language:

> 1. A method of routing voice communications, comprising:
> a) *establishing a first path between a remote originating node and a gateway using a first channel of a circuit-switched network,* wherein the gateway is communicatively coupled to the circuit-switched network and a packet-switched network; and
> b) *establishing a second path between an answering node and the gateway using a second channel of the circuit-switched network if the answering node is remote relative to the gateway,* wherein the first and second paths collectively form a bi-directional communication path.

(Claim 1)(*emphasis added*)

Similar arguments may be made with respect to claim 8. In particular, *Vortman does not teach or disclose a gateway that converts first circuit-switched voice data received from a remote first node on a first channel of a circuit-switched network to packet-switched voice data, wherein the gateway converts the packet-switched voice data to second circuit-switched voice data for any packet designating a remote second node, wherein the gateway communicates the second circuit-switched voice data to the remote second node using a second channel of the circuit-switched network.* As noted above, when Vortman's gateway plays a role in communication *there is no second path between the answering node and Vortman's gateway utilizing a second channel of the circuit-switched network - irrespective of the location of the answering node relative to the gateway.* In contrast, claim 8 includes the language:

8. Apparatus for communicating between two nodes of a communication system, comprising:

a gateway, wherein the gateway converts first circuit-switched voice data received from a remote first node on a first channel of a circuit-switched network to packet-switched voice data, wherein the gateway converts the packet-switched voice data to second circuit-switched voice data for any packet designating a remote second node, wherein the gateway communicates the second circuit-switched voice data to the remote second node using a second channel of the circuit-switched network.

(Claim 8)(*emphasis added*)

Similar to the arguments made above with respect to claim 1, Vortman does not teach or disclose any gateway conversion means for bi-directions conversion of voice data between the circuit- and packet-switched networks – particularly *wherein the gateway conversion means is communicatively coupled to the first node using a first channel of the circuit-switched network, wherein the gateway conversion means is communicatively coupled to the second node using a second channel of the circuit-switched network.* As noted above, whenever Vortman's gateway or any packetizing apparatus is involved, there is no second path utilizing a second channel of the circuit-switched network for communicatively coupling the gateway conversion means to the second node. In contrast, claim 15 as amended includes the language:

15. Apparatus for communicating between first and second nodes of a circuit-switched network coupled to a packet-switched network, comprising:

gateway conversion means for bi-directional conversion of voice data between the circuit-switched network and the packet-switched network, *wherein the gateway conversion means is communicatively coupled to the first node using a first channel of the circuit-switched network, wherein the gateway conversion means is communicatively coupled to the second node using a second channel of the circuit-switched network, wherein the gateway conversion means converts first circuit-switched voice data originating from one of the first and second nodes into packetized voice data*; and

routing means for routing packetized data, wherein the routing means routes packetized voice data designating one of the first and second nodes as a destination node to the gateway conversion means, wherein the gateway conversion means converts received packetized voice data to second circuit-switched voice data, wherein the gateway conversion means communicates second circuit-switched voice data to one of the first and second nodes using a corresponding one of the first and second channels in accordance with the identity of the designated node.

With respect to claim 6, the Examiner has stated:

> Vortman discloses a method of routing voice communications between first and second nodes of a communication system, comprising: converting first circuit-switched voice data received from a remote first node on a first channel of a circuit-switched network to packet-switched voice data (See pg. 5, paragraph [0074]-[0075] and pg. 5, paragraph [0079]); and routing the packet-switched voice data to the second node, only if the second node is local to the packet-switched network (See Pg. 2-3, paragraph [0027] and pg. 4, paragraph [0056])

(05/15/2008 Office Action, pgs. 4-5)

Applicant respectfully traverses the Examiner's characterization of the cited reference. Paragraphs [0074]-[0075] of Vortman merely disclose methods of interfacing the agent's telephone with the packet-switched network. Paragraph [0079] similarly relates to interfacing the agent's workstation to the packet-switched network.

Paragraph [0056] provides no support for the Examiner's position because it references only situations in which both the customer and agent are communicatively coupled to the gateway via packet-switched networks. In such a case there is no circuit-switched network or corresponding channels involved.

Paragraph [0027] is completely contrary to the Examiner's position *because the agent terminal is expressly disclosed as being remote from the call center* (i.e., gateway) rather than "local" as alleged by the Examiner. *Applicant submits that this is wholly contrary to routing packetized voice data to the second node, only if the second node is local to the gateway on the packet-switched network.*

Vortman does not disclose conditional routing of the packetized data based on the location of the second node relative to the gateway on the packet-switched network. To the contrary, the only location Vortman discloses for the second node is *remote* from the gateway (i.e., call center). Vortman routes the packet-switched voice data to the second node *irrespective of the relative locations of the second node and gateway on the packet switched network.*

Vortman thus does not disclose *routing the packet-switched voice data to the second node, only if the second node is local to the gateway on the packet-switched network.*

In contrast, amended claim 6 includes the language:

> 6. A method of routing voice communications between first and second nodes of a communication system, comprising:
> a) converting first circuit-switched voice data received from a remote first node on a first channel of a circuit-switched network to packet-switched voice data transmitted on a packet-switched network at a gateway; and
> b) *routing the packet-switched voice data to the second node, only if the second node is local to the gateway on the packet-switched network.*

(Claim 6, as amended)(*emphasis added*)

Applicant thus submits claims 1, 6, 8, and 15 as amended are not anticipated under 35 U.S.C. § 102 by the cited reference. Given that claims 2-5, 7, 9-14, and 16-20 depend from one of claims 1, 6, 8, or 15, dependent claims 2-5, 7, 9-14, and 16-20 are likewise not anticipated by the cited reference under 35 U.S.C. § 102

Applicant respectfully submits the 35 U.S.C. § 102 rejections have been overcome.

Conclusion

In view of the arguments presented above, applicant respectfully submits the applicable rejections and objections have been overcome. Accordingly, claims 1-20 as amended should be found to be in condition for allowance.

If there are any issues that can be resolved by telephone conference, the Examiner is respectfully requested to contact the undersigned at **(512) 858-9910.**

Respectfully submitted,

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William D. Davis
Reg. No. 38,428